

CITY COUNCIL AGENDA

APRIL 18, 2017

SYNOPSIS

CHAPPIE JONES
SERGIO JIMENEZ
RAUL PERALEZ
LAN DIEP
MAGDALENA CARRASCO
VICE MAYOR

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

SAM LICCARDO MAYOR

DEV DAVIS
TAM NGUYEN
SYLVIA ARENAS
DONALD ROCHA
JOHNNY KHAMIS

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Community & Economic Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Neighborhood Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation & Aviation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Successor Agency to the Redevelopment Agency Board. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?NID=5322>. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or City.Clerk@sanjoseca.gov for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 or (408) 294-9337 as soon as possible, but at least three business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**
9:35 a.m. - Closed Session, Call to Order in Council Chambers
Absent Councilmembers: All present.

1:32 p.m. - Regular Session, Council Chambers, City Hall
Absent Councilmembers: All present.
- **Invocation (District 4)**
Caity Redfern from the Children's Musical Theater, performed "Don't Cry for Me, Argentina" from Evita.
- **Pledge of Allegiance**
Mayor Liccardo led the Pledge of Allegiance.
- **Orders of the Day**
The Orders of the Day and the Amended Agenda were approved, with Item 4.1 deferred to May 2, 2017.
- **Closed Session Report**
None provided.

4. CEREMONIAL ITEMS

- 1.1 Presentation of a proclamation declaring April 22, 2017 as “Earth Day” in the City of San José. (City Manager)
City Manager Norberto Dueñas and Mayor Liccardo presented a proclamation to Kerrie Romanow and staff from the City of San José Department of Environmental Services declaring April 22, 2017 “Earth Day” in San José.
- 1.2 Presentation of a proclamation declaring April 17 – 23, 2017 as Silicon Valley Comic Con Week in the City of San José. (Davis)
Mayor Liccardo and the City Council presented a proclamation declaring April 17-23 “Silicon Valley Comic Con Week” in the City of San José to Comic Con founders Steve Wozniak and Rick White.
- 1.3 Presentation of a proclamation declaring the month of April as National Donate Life Month in the City of San José. (Carrasco)
Vice Mayor Carrasco and Mayor Liccardo presented a proclamation declaring the month of April as “National Donate Life Month” in the City of San José.

2. CONSENT CALENDAR

- 2.1 **Approval of City Council Minutes.**
None provided.
- 2.2 **Final Adoption of Ordinances.**

Recommendation: Final Adoption of Ordinances:

- (a) ORD. NO. 29897 – An ordinance of the City of San José amending Chapter 4.47 of Title 4 of the San José Municipal Code by adding new Sections 4.47.096 and 4.47.097 to provide partial suspension of the tax imposed under Chapter 4.47 in order to apply a reduced rate of tax for offices and data centers, amending Chapter 4.46 of Title 4 of the San José Municipal Code by adding a new Section 4.46.039.12 to provide partial suspension of the tax imposed under Chapter 4.46 in order to apply a reduced rate of tax for data centers and amending Section 4.82.320 of Chapter 4.82 of Title 4 to authorize the City Manager to approve tax refunds over \$50,000 and less than \$500,000. CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy change that involves no changes in the physical environment. (Economic Development)

Ordinance No. 29897 was adopted.

2. CONSENT CALENDAR

2.3 Approval of Council Committee Minutes.

Recommendation: Approval of Council Committee Minutes.

(a) Community and Economic Development Committee Minutes of March 27, 2017. (Khamis)

(b) Rules and Open Government Committee Minutes of March 29, 2017. (Mayor)
CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities.

Approved.

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Airport Improvement Grant Program from the Federal Aviation Administration for the Airport Sustainability Plan.

Recommendation: Adopt a resolution authorizing the City Manager or his designee to apply for, execute, and accept upon receipt, grants from the Federal Aviation Administration for the Airport Sustainability Plan at the Norman Y. Mineta San José International Airport in a total amount not to exceed \$1,000,000. CEQA: Not a Project, File No. PP10-067, Non-Project Specific Funding Mechanism, Grant. (Airport)

Resolution No. 78132 adopted.

2.8 City Attorney's Travel to Philadelphia, PA.

Recommendation: Approve travel by the City Attorney, Richard Doyle, to Philadelphia, PA, on June 2 – 3, 2017 to attend the International Municipal Lawyers Association (IMLA) Top 50 Meeting. Source of Funds: City Attorney's Office Non Personal Services Appropriation. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Catch all, Absences, Travel. (City Attorney)
Approved.

2. CONSENT CALENDAR

2.9 Amendments to the Agreement with AON Consulting, Inc. dba AON Hewitt for Health and Welfare Plans and Actuarial Services.

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the Agreement for Consultant Services with AON Consulting, Inc. dba AON Hewitt related to the City health and welfare plans and actuarial services to:

- (a) Expand the scope of services to include actuarial services for the City's self-funded PPO medical plan beginning July 1, 2016;
- (b) Increase the current Agreement amount for the term July 1, 2016 to June 30, 2017 by \$7,500 to an amount not to exceed \$210,049;
- (c) Increase the current Agreement amount for the term July 1, 2017 to December 31, 2017 by \$7,500 to an amount not to exceed \$110,613, subject to appropriation of funds;
- (d) Add up to two additional one-year options to extend the term of the Agreement after the initial term through December 31, 2019, and authorize the City Manager to exercise these options, subject to appropriation of funds in the amount not to exceed \$451,365.

CEQA: Not a Project, File No. PP10-066(e), Agreements & Contracts, Consultant Services for Design, Study, Research, Inspection, or other Professional Consulting Services to determine the feasibility of a project with no commitment to future action. (Human Resources)

Resolution No. 78133 adopted

2.10 Mayor's Staff Travel to Washington, DC.

Recommendation: Approve travel payments and authorize travel for Mayor's staff, Ingrid Holguin, Policy Advisor for Strategic Partnerships, to Washington, DC from May 22, 2017 to May 24, 2017 to attend the National League of Cities Roundtable Workgroup: Promoting an Alignment Framework to Build an Early Learning Nation.

Source of Funds: National League of Cities for travel payments and hotel accommodations. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Catch all, Absences, Travel. (Mayor)

Approved.

2.11 Mayor's Staff Travel to New York, NY.

Recommendation: Approve travel payments and authorize travel for Mayor's staff, Shireen Santosham, Chief Innovation Officer, to New York, NY from April 20, 2017 to April 21, 2017 for the Bloomberg What Works Conference as a City of San José representative for the NetGain Internet of Things (IoT) Conference. Source of Funds:

Knight Foundation for cost of travel, lodging and food. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Catch all, Absences, Travel. (Mayor)

Approved.

2. CONSENT CALENDAR

2.12 Actions Related to Mayor's Travel to Seattle, Washington.

Recommendation:

- (a) Approve travel payments and authorize travel for Mayor Liccardo to Seattle, Washington from May 2, 2017 to May 4, 2017 for the Daniel Rose Fellowship. Source of Funds: Rose Center for Public Leadership (cost of travel, lodging and food).
- (b) Request for an excused absence from the Regular Meeting of the Joint Rules and Open Government Committee Meeting on May 3, 2017.

CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Catch all, Absences, Travel. (Mayor)

Approved.

2.13 District 3 Puerto Rican Flag Raising.

Recommendation: As recommended by the Rules and Open Government Committee on April 12, 2017:

- (a) Approve the Puerto Rican Flag Raising scheduled on Friday, June 2, 2017, as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Perez)

[Rules Committee referral 4/12/17 – Item G.1.a.]

Approved.

2.14 District 3 Canada Day Flag Raising and Reception.

Recommendation: As recommended by the Rules and Open Government Committee on April 12, 2017:

- (a) Approve the Canada Day Flag Raising and Reception scheduled on Friday, June 23, 2017, as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Perez)

[Rules Committee referral 4/12/17 – Item G.1.b.]

Approved.

2. CONSENT CALENDAR

2.15 District 5 Pizza and Policy Community Office Hours.

Recommendation: As recommended by the Rules and Open Government Committee on April 12, 2017:

- (a) Retroactively approve Pizza & Policy Community Office Hours that took place March 10, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Retroactively approve and accept donations from various individuals, businesses, and community groups to support the March 10, 2017 event.
- (c) Retroactively approve Pizza & Policy Community Office Hours scheduled for April 7, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (d) Retroactively approve and accept donations from various individuals, businesses, and community groups to support the April 7, 2017 event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Carrasco)

[Rules Committee referral 4/12/17 – Item G.1.c.]

Approved.

2.16 District 5 Community Pancake Breakfasts.

Recommendation: As recommended by the Rules and Open Government Committee on April 12, 2017:

- (a) Retroactively approve the Community Pancake Breakfast that took place January 28, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Retroactively approve the acceptance of donations from various individuals, businesses, and community groups to support the January 28, 2017 event.
- (c) Retroactively approve the Community Pancake Breakfast on April 8, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (d) Retroactively approve and accept donations from various individuals, businesses, and community groups to support the April 8, 2017 event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Carrasco)

[Rules Committee referral 4/12/17 – Item G.1.d.]

Approved.

2.17 District 9 Dumpster Day.

Recommendation: As recommended by the Rules and Open Government Committee on April 12, 2017:

- (a) Approve Dumpster Day scheduled on May 6, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Rocha)

Approved.

2. CONSENT CALENDAR

2.18 District 7 Community Events.

Recommendation: As recommended by the Rules and Open Government Committee on April 12, 2017:

- (a) Retroactively approve the Viet Heritage Gardens Grand Re-Opening and Ribbon Cutting Ceremony on Friday, April 7, 2017 at Viet Heritage Gardens as a City Council sponsored Special Event and approve the expenditure of funds. Event was approved in February but cancelled due to weather.
- (b) Retroactively approve the Late-Night Gym at Santee Event that occurred every Wednesday beginning January 11, 2017 to present at Bridges Academy as a City Council sponsored Special Event and approve the expenditure of funds.
- (c) Approve the Late-Night Gym at Santee Event every Wednesday until June 14, 2017 at Bridges Academy as a City Council sponsored Special Event and approve the expenditure of funds.
- (d) Retroactively approve the Council District 7 Coyote Creek Flood Rescue and Recovery Efforts Townhall Meeting on Thursday, March 23, 2017 at Tully Community Branch Library as a City Council sponsored Special Event and approve the expenditure of funds.
- (e) Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:
 - (1) Coyote Creek Flood Action Day on April 19, 2017 at the Vietnamese American Community Center;
 - (2) Clean Up with Tam on April 29, 2017 at Ezie Street and Santa Rosa Drive;
 - (3) Clean Up with Tam on May 13, 2017 at the Vietnamese American Community Center;
 - (4) Dump Your Junk Day on May 6, 2017 at OB Whaley Elementary School;
 - (5) Dump Your Junk Day on May 20, 2017 at Hubbard Elementary School;
 - (6) Dump Your Junk Day on June 10, 2017 at Daniel Lairon Elementary School;
 - (7) Dump Your Junk Day on September 16, 2017 at Captain Dahl Elementary School;
 - (8) Dump Your Junk Day on October 21, 2017 at Ramblewood Elementary School;
 - (9) Coffee with A Cop on June 17, 2017 at the Vietnamese American Community Center.
- (f) Approve and accept donations from various individuals, businesses, or community groups to support the events listed in (a) to (e).

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Nguyen)
[Rules Committee referral 4/12/17 – Item G.1.f.]

Approved.

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Norberto Dueñas (Verbal Report).

City Manager Norberto Dueñas updated the Council on Facebook's Developer Conference currently being held in San José; Comic Con, which will be starting on April 21, 2017 at the Convention Center, and the Nvidia Tech Conference and Apple's Worldwide Developers Conference, which will be held in Downtown San José in June.

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.
None provided.

3.3 Review of the Retirement Plan's Pension and Post-Employment Healthcare Plan Actuarial Valuations as of June 30, 2016 and the Audit of the Actuarial Valuations.

Recommendation: Review the following actuarial valuation reports and audit reports of the actuarial valuations:

- (a) Police and Fire Department Retirement Plan Actuarial Valuation (Pension) as of June 30, 2016;
- (b) Police and Fire Department Postemployment Healthcare Plan Actuarial Valuation (Pension) as of June 30, 2016;
- (c) Federated City Employees' Retirement System Actuarial Valuation (Pension) as of June 30, 2016;
- (d) Federated City Employees' Retirement System Postemployment Healthcare Plan Actuarial Valuation as of June 30, 2016;
- (e) Audit of the Police and Fire Department Retirement Plan Actuarial Valuation (Pension) as of June 30, 2016;
- (f) Audit of the Police and Fire Department Postemployment Healthcare Plan Actuarial Valuation (Pension) as of June 30, 2016;
- (g) Audit of the Federated City Employees' Retirement System Actuarial Valuation (Pension) as of June 30, 2016; and
- (h) Audit of the Federated City Employees' Retirement System Postemployment Healthcare Plan Actuarial Valuation as of June 30, 2016.

Recommendation:

CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Annual Reports that involve no approvals of any City Actions. (Retirement Services)

Approved.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Actions Related to the Issuance of Tax-Exempt and Taxable Multifamily Housing Revenue Notes and Tax-Exempt Bonds, The Loan of Note and Bond Proceeds for the Villa De Guadalupe Apartments. *DEFERRED*

Recommendation: Adopt a resolution:

- (a) Authorizing the issuance of:
 - (1) a tax-exempt multifamily housing revenue note designated as “City of San José Multifamily Housing Revenue Note (Villa de Guadalupe Apartments), Series 2017A-1 (the “Series 2017A-1 Tax-Exempt Note”) in a principal amount of approximately \$31,090,000;
 - (2) a taxable multifamily housing revenue note designated “City of San José Multifamily Housing Revenue Note (Villa de Guadalupe Apartments), Series 2017A-2 (the “Series 2017A-2 Taxable Note” and, with the Series 2017A-1 Tax-Exempt Note, the “Series 2017A Notes”) in a principal amount of approximately \$7,410,000; and
 - (3) a tax-exempt multi-family housing revenue bonds designated as City of San José Junior Multifamily Housing Revenue Bonds (Villa de Guadalupe Apartments), Series 2017B (the “Series 2017B Junior Bonds” and, with the Series 2017A Notes, the “Series 2017 Obligations”) in a principal amount of approximately \$3,404,327;
- (b) Approving a loan of Series 2017A Obligation proceeds to Burnham VDG Venture LP, a California limited partnership created by Standard Property Company, a California corporation, to finance the acquisition and rehabilitation of the Villa de Guadalupe Apartments located at 2151 Plaza De Guadalupe, in San José (the “Property”);
- (c) Approving in substantially final form the Funding Loan Agreement, Borrower Loan Agreement, Junior Indenture of Trust, Junior Loan Agreement, Junior Bond Purchase Agreement, Regulatory Agreement and Declaration of Restrictive Covenants and Junior Bond Purchase Agreement (the “Series 2017 Obligation Documents”); and
- (d) Authorizing and directing the City Manager, Director of Finance and Director of Housing, or their designees, to execute and, deliver the Series 2017 Obligation Documents and related documents as necessary.

CEQA: Exempt, File No. PP17-028, CEQA Guidelines Section 15301, Existing Facilities. Council District 5. (Housing/Finance)

Deferred to 5/2/17 per Orders of the Day.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Amendment to the Ellis Act Ordinance Implementing Procedures for Removal of Rent Stabilized Units from the Rental Market.

Recommendation:

- (a) Approve an ordinance adding Part 11 to Chapter 17.23 of the San José Municipal Code to provide procedures for an owner's withdrawal of rent stabilized apartments from the rental market including requirements for noticing, relocation benefits, the tenant rights to return, and control of rents for apartments constructed or returned to the rental market within five years of withdrawal.

Ordinance No. 29902 adopted, with direction as outlined in Staff's supplemental memorandum dated April 17, 2017 to: (1) Request that the City Council direct the City Manager to complete additional research regarding the impact of subjecting all replacement units to re-control by the Ellis Act; and (2) Provide the City Council with additional research regarding existing Ellis Act Ordinances throughout California.

(6-5. Noes: Jones, Diep, Davis, Khamis; Liccardo.)

- (b) Adopt a resolution establishing a schedule for Relocation Assistance and establish the Filing Fee and other fees pursuant to the ordinance.

CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy change that involves no changes in the physical environment. (Housing)

Resolution No. 78134 adopted.

(6-5. Noes: Jones, Diep, Davis, Khamis; Liccardo.)

4.3 Actions Related to Tenant Protection Ordinance.

Recommendation:

- (a) Approve an ordinance adding Part 12 to Chapter 17.23 of the San José Municipal Code to include a Tenant Protection Ordinance limiting no-cause evictions and establishing requirements for property owners to state a Good Cause for eviction in certain limited circumstances.

Ordinance No 29903 passed for publication.

Noes: Jones, Diep, Davis, Khamis; Liccardo

- (b) Direct the City Manager to instruct staff to incorporate into the forthcoming revised Apartment Rent Ordinance, a requirement that a property owner offer a renewable one-year written lease to tenants.
- (c) Direct the City Manager to instruct staff to return with an amendment to Ordinance No. 28730 (the Interim Apartment Ordinance) to remove the exemption for units with rental subsidies and to make that change to the forthcoming revised Apartment Rent Ordinance.

(Item Continued on the Next Page)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.3 Actions Related to Tenant Protection Ordinance (Cont'd.)

- (d) Direct the City Manager to instruct staff to research different relocation benefits and return to Council with a report on the potential to unify existing policies of the City.

CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy change that involves no changes in the physical environment. (Housing)

The joint memorandum from Councilmember Sergio Jimenez and Councilmember Sylvia Arenas, dated April 14, 2017, was approved as amended, to: (1) Adopt Staff Policy Alternative # 2: Implement an Ordinance with Just Cause Eviction Requirements with automatic enrollment for all tenants covered by that Alternative, with an ordinance to be considered at the Council Meeting of May 9, 2017, declining staff's recommendation Number 1 in its memorandum dated April 7, 2017. (2) Adopt staff recommendations 2-4 in the memorandum dated April 7, 2017, with the amendment as outlined in the April 14, 2017 memorandum from Councilmember Donald Rocha and Peralez, directing Staff to prepare a policy for Council consideration when they return to Council with a final Apartment Rent Ordinance in August: Tying the annual allowed rent increase for rent controlled units to the Consumer Price Index and allowing banking, consistent with the original staff recommendation for item 4.1 at the April 19, 2016 City Council meeting; additionally, (3) Return with an Urgency Ordinance ASAP for immediate implementation of Full Just Cause with automatic enrollment for all tenants covered by Alternative #2. Also including Councilmember Donald Rocha's direction for Housing to return to Council with a workplan to evaluate whether duplexes should be added to the Apartment Rent Ordinance. (6-5. Noes: Jones, Diep, Davis, Khamis; Liccardo.)

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.3 San José Clean Energy Update.

Recommendation: Accept the staff report on the San José Clean Energy update.

CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Reports that involve no approval of any City Actions. (Environmental Services)

(Continued from 3/21/17 – Item 7.1)

Approved.

8. PUBLIC SAFETY SERVICES

9. REDEVELOPMENT – SUCCESSOR AGENCY

- Open Forum
 1. Blair Beekman offered comments on the ‘just cause’ ordinance, and suggested a banking system for tenants.
 2. Mark Jansen asked the Council to support residential permit parking in the Eden Neighborhood.
 3. Tim Gildersleeve spoke against banning the Communist flag, declaring it a violation of freedom of speech.

- Adjournment

Mayor Sam Liccardo adjourned the meeting at 10:39 p.m.

- Notice of City Engineer’s Pending Decision on Final Maps

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/ Units</u>	<u>Type</u>	<u>Proposed Decision</u>
10397	4973 San Felipe Road	8	Tisch Way Developers	13/13	SFD	Approval
10394	2140 Quimby Road	8	Denova Homes	110/94	SFD	
10404	2140 Quimby Road	8	Denova Homes	77/76	SFD	
10405	2140 Quimby Road	8	Denova Homes	86/80	SFD	